

The regular meeting of the City Council was held in the Council Chambers at City Hall on December 2, 2008.

Mayor David Cline opened the public hearing on the vacation of Circle Street at 6:31 p.m. on December 2, 2008 in the City Hall Council Chambers. Council members who physically attended were Mayor Cline, Commissioners Randy Ervin, Rick Hall, Joe McKenzie, and David Schilling. Also physically present were City personnel: City Administrator Alan Gilmore, Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Fire Chief Mike Chism, Deputy Police Chief Adam Weinstock, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Attorney & Treasurer Owen conducted the public hearing by describing the areas of the three petitions from Ken Diepholz, Bill Standerfer, and A.J. Walker; and noted the areas in Noyes Addition dated back to 1857. Attorney & Treasurer Owen opened the floor for questions from the Council. Council inquired about the placement on the tax rolls and determination of properties' values. Attorney & Treasurer Owen responded with the passage of the special ordinances would place the properties on the tax rolls and the average of two appraisals would determine the properties' values. Attorney & Treasurer Owen opened the floor for public inquiries. There were no public inquiries. Mayor Cline closed the public hearing at 6:34 p.m.

Mayor Cline called the work study session to order at 6:34 p.m. The following Council members physically attended: Mayor Cline, Commissioners Randy Ervin, Rick Hall, Joe McKenzie, and David Schilling.

Also physically present were City personnel: City Administrator Alan Gilmore, Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Fire Chief Mike Chism, Deputy Police Chief Adam Weinstock, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Administrator Gilmore reviewed the pending agenda items and introduced Ron Dinardo, Director of Development, of the Cedarwood Development – CVS Pharmacy and Frank Wright, Engineer, of the Reinke Group, who was to communicate with the Council during the presentations portion of the regular meeting.

Mayor Cline opened the regular meeting at 6:38 p.m.

Mayor Cline presiding.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Fire Chief Mike Chism, Deputy Police Chief Adam Weinstock, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the special meeting November 14, 2008, regular meeting November 18, 2008; police department report for the month of October, 2008; bills and payroll for the last half of November, 2008.

#### **Bills and payroll for the last half of November, 2008**

##### **General Fund**

Payroll	\$	323,201.05
Bills	\$	40,699.64
Total	\$	363,900.69

##### **Hotel Tax Fund**

Payroll	\$	1,618.08
Bills	\$	191.81
Total	\$	1,809.89

##### **Festival Management**

Bills	\$	3,038.70
Total	\$	3,038.70

<b><u>Insurance &amp; Tort Judgment</u></b>			
Bills		\$	657.00
	Total	\$	657.00
<b><u>Midtown TIF Fund</u></b>			
Bills		\$	4,875.00
	Total	\$	4,875.00
<b><u>Water Fund</u></b>			
Payroll		\$	34,230.54
Bills		\$	566,231.21
	Total	\$	600,461.75
<b><u>Mall Business District</u></b>			
Bills		\$	252.43
		\$	252.43
<b><u>Capital Project Fund</u></b>			
Bills		\$	18,292.01
	Total	\$	18,292.01
<b><u>Sewer Fund</u></b>			
Payroll		\$	28,505.19
Bills		\$	76,577.13
	Total	\$	105,082.32
<b><u>Cemetery Fund</u></b>			
Payroll		\$	3,388.43
	Total	\$	3,388.43
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	1,480.05
	Total	\$	1,480.05
<b><u>Health Insurance</u></b>			
Bills		\$	129,542.79
	Total	\$	129,542.79

Mayor Cline called for comments with no response.

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for public discussion. Mr. Ron Dinardo of Cedarwood Development (CVS Pharmacy) introduced the exhibits for the new CVS Pharmacy to be located at 1300 Charleston Avenue. Mr. Frank Wright, Engineer, of the Reinke Group explained the plans for the CVS Pharmacy. Council, Mr. Herb Meeker of the Mattoon Journal Gazette, and Mr. Bart Owen of Mattoon Fire Department inquired about the various aspects of the project with representatives and Administrator Gilmore responding.

There was no other public discussion.

Mayor Cline seconded by Commissioner Ervin moved to approve Council Decision Request 2008-917, authorizing the purchase of two 2008 Ford Crown Victoria Police Interceptor patrol cars from Landmark Ford at the State joint purchase price \$20,697.00 each.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Council Decision Request 2008-918 was pulled from the agenda.

Commissioner Hall seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-919, awarding bid from Laster Custom Underground of Mattoon in the amount of \$20,749.40 for the 2417 Lake Land Blvd sanitary sewer extension project, and authorizing the Mayor to sign the contract.

Mayor Cline opened the floor for questions or comments. Mr. Herb Meeker of the Mattoon Journal Gazette inquired as to the withdrawal of the proposed restaurant. Administrator Gilmore stated three other local businesses had shown interest in connecting to the sanitary sewer extension with the Mayor adding the proposed restaurant created the instigation of the extension.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner Hall moved to adopt Special Ordinance 2008-1305, authorizing a contract with PersonalCare for the Administration of the self-insured health plan and Delta Dental of Illinois for the Administration of the self-insured dental plan for employees and retirees of the municipality; and accepting The Checkley Agency as broker.

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## **CITY OF MATTOON, ILLINOIS**

### ***SPECIAL ORDINANCE NO. 2008-1305***

#### **AN ORDINANCE AUTHORIZING A RENEWAL AGREEMENT WITH PERSONALCARE INSURANCE OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED MEDICAL AND PHARMACY BENEFIT PLAN AND DELTA DENTAL OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED DENTAL BENEFIT PLAN FOR EMPLOYEES AND RETIREES OF THE MUNICIPALITY**

**WHEREAS**, the City of Mattoon, Illinois employee and retiree group has demonstrated exceptional health insurance experience, and

**WHEREAS**, this group health insurance history has resulted in favorable renewal premium rates, and

**WHEREAS**, it is the desire of the Mattoon City Council to maintain and continue the relationship with the Personal Care Insurance of Illinois and Delta Dental plans currently offered through the Checkley Agency to its employees and retirees, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The Mayor is authorized to sign a renewal agreement with PersonalCare Insurance of Illinois, Inc. for the administration of the self-funded medical and pharmacy benefit plan and the Delta Dental plan for employees and retirees of the municipality, copies of which are attached and incorporated by reference.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling , seconded by Commissioner Hall, adopted this 2nd day of December, 2008, by a roll call vote, as follows:

AYES (Names):           Commissioner Ervin, Commissioner Hall,  
                                  Commissioner McKenzie, Commissioner Schilling  
                                  Mayor Cline

NAYS (Names):           None

ABSENT (Names):        None

Approved this 2nd day of December, 2008.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:  
/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:  
/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Special Ordinance 2008-1306, approving the vacation of a portion of Circle Street located south of Charleston Avenue and north of Wabash Avenue. Ken Diepholz – Petitioner.

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2008 - 1306

#### **AN ORDINANCE VACATING A PORTION OF CIRCLE STREET located south of Charleston avenue and north of Wabash avenue IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**

**WHEREAS**, Ken Diepholz has heretofore presented a Petition to the City Clerk to vacate a portion of Circle Street, which Petition requests that said portion of Circle Street be vacated by the City of Mattoon, Coles County, Illinois; and,

**WHEREAS**, a copy of the plat of vacation is attached hereto and incorporated herein as Exhibit "A"; and,

**WHEREAS**, said Petition was recommended for approval at a rescheduled meeting of the Mattoon Planning Commission held December 1, 2008; and,

**WHEREAS**, the City Council of the City of Mattoon, Coles County, Illinois, has determined that the public interest will be served by vacating said portion of Circle Street so as to relieve the public from further burden and responsibility of maintaining the public right-of-way.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION**, as follows:

**Section 1.** That the portion of Circle Street to be vacated is legally described as follows:

All that part of Circle Street as shown on plat of Noyes' Addition date July 6, 1857 and recorded in Plat Book One (1), Page Six (6) in the Recorder's Office of Coles County lying south of Railroad Street (now Charleston Ave.) and North of Wabash Avenue as now located.

**Section 2.** This Ordinance shall become effective immediately after Ken Diepholz has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

**Section 3.** Ken Diepholz, having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated portion of Circle Street as legally described above.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** Upon becoming effective, the City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner McKenzie, seconded by Commissioner Ervin, adopted this 2<sup>nd</sup> day of December, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling  
Mayor Cline

NAYS (Names): None  
ABSENT (Names): None

Approved this 2nd day of December, 2008.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Schilling moved to adopt Special Ordinance 2008-1307, approving the vacation of portions of Edgar Avenue located west of 21<sup>st</sup> Street and north of Edgar Avenue. A. J. Walker – Petitioner

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2008 - 1307

#### **AN ORDINANCE VACATING PORTIONS OF edgar avenue located West of 21<sup>st</sup> street and 22<sup>nd</sup> street AND north of edgar avenue IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**

**WHEREAS**, A.J. Walker Construction Company has heretofore presented a Petition to the City Clerk to vacate portions of Edgar Avenue and 22<sup>nd</sup> Street, which Petition requests that said portion of Circle Street be vacated by the City of Mattoon, Coles County, Illinois; and,

**WHEREAS**, a copy of the plat of vacation is attached hereto and incorporated herein as Exhibit "A"; and,

**WHEREAS**, said Petition was recommended for approval at a rescheduled meeting of the Mattoon Planning Commission held December 1, 2008; and,

**WHEREAS**, the City Council of the City of Mattoon, Coles County, Illinois, has determined that the public interest will be served by vacating said portions of Edgar Avenue and 22<sup>nd</sup> Street so as to relieve the public from further burden and responsibility of maintaining the public right-of-way.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION**, as follows:

**Section 1.** That the portions of Edgar Avenue to be vacated are legally described as follows:

A part of South 4<sup>th</sup> Street (now Edgar Avenue) as shown on plat of Noyes' Addition dated July 6, 1857 and recorded in Plat Book One (1), Page Six (6) in the Recorder's Office of Coles County; beginning at the intersection of the west line of "B" Street (now 21<sup>st</sup> Street) and South 4<sup>th</sup> Street (now Edgar Avenue) as identified on said plat; thence south along said west line of "B" Street (now 21<sup>st</sup> Street) a distance of 80.00 feet to the south line of South 4<sup>th</sup> Street (now Edgar Ave.); thence west along said south line of South 4<sup>th</sup> Street (Now Edgar Avenue) to a point along a line that lies parallel and/or concentric with and 25 feet normally distant northeasterly from the centerline of Grantor's Peoria District main track (now Canadian National Railroad); thence northwesterly along said parallel and/or concentric line to the east line of "C" Street (now 22<sup>nd</sup> Street); thence northerly along said east line a distance of 25 feet to the north line of South 4<sup>th</sup> Street (now Edgar Avenue); thence east along said north line a distance of 300 feet to the point of beginning.

and,

The north twenty-five (25) feet of South 4<sup>th</sup> Street (now Edgar Avenue) as shown on plat of Noyes' Addition dated July 6, 1857 and recorded in Plat Book One (1), Page Six (6) in the Recorder's Office of Coles County from the east line of "E" Street (now 24<sup>th</sup> Street) to the east line of "C" Street (now 22<sup>nd</sup> Street).

**Section 2.** That the portion of 22<sup>nd</sup> Street to be vacated is legally described as follows:

A part of "C" Street (now 22<sup>nd</sup> Street) as shown on plat of Noyes' Addition dated July 6, 1857 and recorded in Plat Book One (1), Page Six (6) in the Recorder's Office of Coles County from the north line of South 4<sup>th</sup> Street (now Edgar Avenue) to 140 feet north of the said north line.

**Section 3.** This Ordinance shall become effective immediately after A.J. Walker Construction Company has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

**Section 4.** A.J. Walker Construction Company, having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated portion of Circle Street as legally described above.

**Section 5.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 6.** Upon becoming effective, the City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner McKenzie, seconded by Commissioner Schilling, adopted this 2<sup>nd</sup> day of December, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 2<sup>nd</sup> day of December, 2008.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

<u>/s/ Susan J. O'Brien</u> Susan J. O'Brien, City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen, City Attorney
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Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Hall moved to adopt Special Ordinance 2008-1308, approving the vacation of a portion of Circle Street located south of Wabash Avenue and north of Lafayette Avenue. Bill Standerfer – Petitioner

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2008 - 1308

#### AN ORDINANCE VACATING A PORTION OF CIRCLE STREET located south of wabash avenue and north of lafayette avenue

**IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**

**WHEREAS**, Bill G. Standerfer has heretofore presented a Petition to the City Clerk to vacate a portion of Circle Street, which Petition requests that said portion of Circle Street be vacated by the City of Mattoon, Coles County, Illinois; and,

**WHEREAS**, a copy of the plat of vacation is attached hereto and incorporated herein as Exhibit “A”; and,

**WHEREAS**, said Petition was recommended for approval at a rescheduled meeting of the Mattoon Planning Commission held December 1, 2008; and,

**WHEREAS**, the City Council of the City of Mattoon, Coles County, Illinois, has determined that the public interest will be served by vacating said portion of Circle Street so as to relieve the public from further burden and responsibility of maintaining the public right-of-way.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION**, as follows:

**Section 1.** That the portion of Circle Street to be vacated is legally described as follows:

All that part of Circle Street as shown on plat of Noyes’ Addition date July 6, 1857 and recorded in Plat Book One (1), Page Six (6) in the Recorder’s Office of Coles County lying south of Wabash Avenue and North of Lafayette Avenue as now located.

**Section 2.** This Ordinance shall become effective immediately after Bill G. Standerfer has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

**Section 3.** Bill G. Standerfer, having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated portion of Circle Street as legally described above.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** Upon becoming effective, the City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Commissioner McKenzie, seconded by Commissioner Hall, adopted this 2nd day of December, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 2nd day of December, 2008.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

<u>/s/ Susan J. O’Brien</u> Susan J. O’Brien, City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen, City Attorney
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Recorded in the Municipality’s Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to adopt Special Ordinance 2008-1309, authorizing the sale of surplus real estate owned by the municipality to Steven E. and Margaret I. Lawhorn.

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**CITY OF MATTOON, ILLINOIS**

***SPECIAL ORDINANCE NO. 2008 - 1309***

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS REAL ESTATE OWNED BY THE MUNICIPALITY TO STEVEN E. AND MARGARET I. LAWHORN**

**WHEREAS**, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, the property being sold is described in the plat of survey, which is attached hereto and incorporated herein as Exhibit "A"; and

**WHEREAS**, the City Council hereby makes a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

**WHEREAS**, Steven E. and Margaret I. Lawhorn have made an offer to purchase the property for \$1,280.00; and

**WHEREAS**, Steven E. and Margaret I. Lawhorn own the adjacent property and theirs is the only property capable of providing access to property being sold and this land is necessary for the expansion of their business; and

**WHEREAS**, Stan Gordon of Gordon Appraisal Service, Inc. determined \$375.00 was the fair market value of the real estate as of November 10, 2008, the fees for the survey are \$755.00 and the fee for the appraisal is \$150.00.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance

**Section 2.** The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a quit claim deed to the real estate described in Section 3 of this ordinance to Steven E. and Margaret I. Lawhorn, subject to a payment in the amount of \$1,280.00.

**Section 3.** The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of Lot Seven (7) in Block Forty-One (41) in the Original Town (now city) of Mattoon, Coles County, Illinois being more particularly described as follows:

Beginning at the northeast corner of Lot Seven (7) in Block Forty-One (41) in the Original Town (now city) of Mattoon, Coles County, Illinois; thence azimuth 270 degrees 03 minutes 36 seconds (based on pervious local surveys) along the north line of said Lot Seven a distance of 38.88 feet; thence azimuth 180 degrees 11 minutes 52 seconds parallel with the center line of 15<sup>th</sup> Street a distance of 25.58 feet, thence azimuth 8 degrees 16 minutes 48 seconds a distance of 5.09 feet; thence 61 degrees 48 minutes 05 seconds a distance of 43.39 feet to the point of beginning, containing 408.54 square feet more or less.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner McKenzie, adopted this 2nd day of December, 2008, by a roll call vote, as follows:

AYES (Names):                    Commissioner Ervin, Commissioner Hall,  
   Commissioner McKenzie, Commissioner Schilling



Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 2nd day of December, 2008.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to adopt Resolution 2008-2760, authorizing a \$20,000 maximum agreement with the Coles County Regional Planning & Development Commission for Technical Assistance for services to be rendered from December 1, 2008 to November 30, 2009 on a time and expense basis.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2008-2760**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR  
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY REGIONAL PLANNING AND  
DEVELOPMENT COMMISSION**

**WHEREAS**, the **City of Mattoon** has selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the **City**; and,

**WHEREAS**, the **City Council** has examined the proposed contract agreement a copy of which is attached hereto and incorporated by reference and entitled "Technical Assistance Agreement" Between the **City of Mattoon, Illinois** and the Coles County Regional Planning and Development Commission," and finds said contract agreement to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the **City Council** of the **City of Mattoon**, Illinois that the **City** enter into and execute said Contract Agreement with the Coles County Regional Planning and Development Commission. The **Mayor** is authorized to execute said Agreement.

Upon motion by Mayor Cline, seconded by Commissioner Schilling, adopted this 2nd day of December, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 2nd day of December, 2008.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Resolution 2008-2761, authorizing a \$2,100.00 agreement with the Coles County Regional Planning & Development Commissioner for administration of the Mattoon Revolving Loan Fund for services to be rendered from December 1, 2008 to November 30, 2009 on a time and expense basis.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2008-2761**

***RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT  
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION SERVICES WITH THE COLES  
COUNTY REGIONAL PLANNING & DEVELOPMENT COMMISSION***

**WHEREAS**, the **City of Mattoon** operates a State of Illinois capitalized Revolving Loan Fund, and;

**WHEREAS**, the Coles County Regional Planning and Development Commission has been deemed by the **City Council** as qualified to administer said Revolving Loan Fund, said Commission furnishing a proposed contract agreement for Revolving Loan Fund administration services to the **City**, and;

**WHEREAS**, The **City Council** has examined the proposed contract agreement, entitled "Contract Agreement for Administration and Coordination Services for State Capitalized Revolving Loan Fund," and finds the agreement to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the **Mayor** and **City Council** of the **City of Mattoon, Coles County**, Illinois that the **City** enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. The **Mayor** is authorized to execute said AGREEMENT.

Upon motion by Mayor Cline seconded by Commissioner Ervin adopted this 2<sup>nd</sup> day of December, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 2<sup>nd</sup> day of December, 2008.

/s/ David W. Cline

David W. Cline, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 3, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Special Ordinance 2008-1310 was pulled from the agenda.

Attorney & Treasurer Owen discussed with the Council the conducting of a special meeting on December 23, 2008 at 3:00 p.m. for the purposes of a public hearing and consideration of the 2008 Tax Levy; and a special meeting on December 9, 2008 at 3:00 p.m. for a closed session regarding a potential litigation case. Council discussed and concurred.

Administrator Gilmore referred the Council to a Chatham web-based alert system, which Technology Coordinator Brian Johanpeter requested the Council to review.

Commissioner Ervin seconded by Commissioner McKenzie moved to adjourn at 7:07 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien  
City Clerk